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6 *Attorney Plaintiffs*

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 MICHAEL RUMBAUGH and DEBORAH
10 RUMBAUGH,

11 Plaintiff,

12 vs.

13 STATE FARM FIRE AND CASUALTY
14 COMPANY, dba STATE FARM, an entity of
unknown type and domicile, DOE
15 INDIVIDUALS 1-10, and ROE ENTITIES 1-10,

16 Defendants.

Case No.: 2:16-cv-02873

STIPULATION AND ORDER
TO REMAND TO COURT ANNEXED
ARBITRATION PROGRAM

ECF Nos. 5, 9

17 Comes now, Plaintiffs, MICHAEL RUMBAUGH and DEBORAH RUMBAUGH, by
18 and through their undersigned attorneys, RONALD A. COLQUITT, ESQ. and TONY L.
19 ABBATANGELO, ESQ. of the law firm of Colquitt & Abbatangelo, Ltd. and Defendant,
20 STATE FARM FIRE AND CASUALTY COMPANY, dba STATE FARM, by and through its
21 undersigned attorneys of record, MARTIN J. KRAVITZ, ESQ. and KIMBERLEY A. HYSON,
22 ESQ., of the law firm of KRAVITZ, SCHNITZER & JOHNSON, CHTD., and the parties do
23 hereby stipulate to the dismissal of Plaintiff's claim for punitive damages with prejudice, the
24 renaming of Defendant, STATE FARM FIRE AND CASUALTY COMPANY dba STATE
25 FARM, as solely "STATE FARM FIRE AND CASUALTY COMPANY" and the remand of this
26 matter to the Court Annexed Arbitration Program in the Eighth Judicial District Court of the
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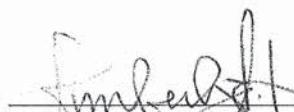
1 State of Nevada, County of Clark, without prejudice. This stipulation to remand is based upon
2 Plaintiffs' averment that the amount in controversy will not exceed \$50,000 total and that
3 Plaintiffs will be dismissing with prejudice their claim for punitive damages against Defendants
4 in this action and agreeing to drop the "dab State Farm" from Defendant's name. Based upon the
5 same, the parties hereby seek an order from this Court that this matter be remanded to the Court
6 Annexed Arbitration Program in the Eighth Judicial District Court, that Plaintiffs' claim for
7 punitive damages be dismissed with prejudice and capping Plaintiffs' potential recovery in this
8 matter at \$50,000.00 and that Defendant's name be changed to reflect on "State Farm Fire and
9 Casualty Company."

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11 The parties reserve the right to Remove this matter back to Federal Court should new
12 evidence of damages be presented such that the jurisdictional limit of \$75,000.00 would be
13 exceeded.

14
15 Dated this 11 day of January, 2017.
16 COLQUITT & ABBATANGELO, LTD. KRAVITZ, SCHNITZER & JOHNSON, CHTD.



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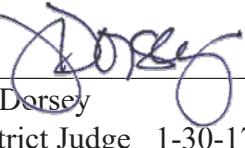
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25 KIMBERLEY A. HYSON, ESQ.
26 Nevada Bar No. 11611
27 8985 S. Eastern Ave., Ste. 200
28 Las Vegas, NV 89123
Attorney for Defendants

ORDER

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30 Based on the parties' stipulation [ECF No. 9] to dismiss and remand, and
31

1 good cause appearing, IT IS HEREBY ORDERED that plaintiff's punitive damages prayer
2 is dismissed with prejudiced. And the parties have stipulated that the amount in
3 controversy does not exceed \$50,000, let alone the \$75,000 jurisdictional threshold
4 for diversity jurisdiction, this case is REMANDED back to the Eighth Judicial
5 District Court Case No. A-16-747133-C, Dept. IX, for participation in the Court
6 Annexed Arbitration Program.

7 IT IS FURTHER ORDERED that the motion to dismiss [ECF No. 5] is DENIED
8 as moot. The Clerk of Court is instructed to REMAND and CLOSE THIS CASE.

9 
10 Jennifer Dorsey
11 U.S. District Judge 1-30-17

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